

03914 U.S. PTO
10/632989
08/04/03



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**UTILITY PATENT
APPLICATION TRANSMITTAL LETTER**

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Patent Application
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir:

Enclosed for filing is the utility patent application of Srikanteswara Dakshina-Murthy; Cyrus E. Tabery; Chih-Yuh Yang; and Bin Yu for ETCH STOP LAYER FOR ETCHING FINFET GATE OVER A LARGE TOPOGRAPHY.

Also enclosed are:

- Thirteen sheet(s) of formal informal drawing(s);
- claim for foreign priority under 35 U.S.C. §§ 119 and/or 365 is hereby made to _____ filed in _____ on _____;
- in the declaration;
- a certified copy of the priority document;
- a General Authorization for Petitions for Extensions of Time and Payment of Fees;
- applicant(s) is/are entitled to Small Entity Status;
- an Assignment document and Assignment Recordation Cover Sheet;
- an Information Disclosure Statement and PTO-1449;
- A Request for Non-Publication is enclosed; and
- Other: _____;
- An executed unexecuted declaration of the inventor(s)
 - also is enclosed will follow.
- Please amend the specification by inserting before the first line the sentence -- This application claims priority under 35 U.S.C. §§ 119 and/or 365 to _____ filed in _____ on _____; the entire content of which is hereby incorporated by reference.--
- A bibliographic data entry sheet is enclosed.

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Attorney's Docket No. H1172
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- The filing fee has been calculated as follows and in accordance with the enclosed preliminary amendment:

CLAIMS					
	No. of Claims		Extra Claims	Rate	Fee
Basic Application Fee					\$750.00
Total Claims	20	Minus 20 =	0	x \$18.00 =	\$0.00
Ind. Claims	4	Minus 3 =	1	x \$ 84.00 =	\$84.00
If multiple dependent claims are presented, add \$280.00					\$0.00
Total Application Fee					\$834.00
If Small entity status is claimed, subtract 50% of Total Application Fee					\$0.00
Add Assignment Recording Fee if Assignment document is enclosed					\$40.00
TOTAL APPLICATION FEE DUE					\$874.00

- This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.
- A check in the amount of \$834.00 is enclosed for the fee due.
- A check in the amount of \$40.00 (Assignment Recordation fee) is enclosed for the fee due.
- Charge \$_____ to Deposit Account No. 50-1070 for the fee due.

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- The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1070. This paper is submitted in duplicate.

Respectfully submitted,

HARRITY & SNYDER, L.L.P.

By: John Harrity, Reg. No. 43,367
for Tony M. Cole
Reg. No. 43,417

11240 Waples Mill Road
Suite 300
Fairfax, Virginia 22030
(571) 432-0800
Customer Number: 26615

Date: August 4, 2003

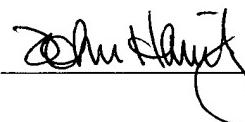
NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	Srikanteswara Dakshina-Murthy et al.
	Title	ETCH STOP LAYER FOR ETCHING FINFET GATE OVER A LARGE TOPOGRAPHY
	Atty Docket No.	H1172

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

August 4, 2003

Date



John M. Cole, Reg. No. 43,367 (Signature)

Tony M. Cole

Registration No. 43,417

This request must be signed in compliance with 37 C.F.R. 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this non-publication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**